IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

GARY F. EMMERICK,

                    Plaintiff,   ORDER

          v.   11-cv-860-bbc

THE STATE OF WISCONSIN,
THE COUNTY OF WOOD,
WOOD COUNTY COURT BRANCH II,
WOOD COUNTY SHERIFF'S DEPARTMENT AND/OR OFFICE,

                    Defendants.

Plaintiff Gary Emmerick has submitted a proposed complaint. Plaintiff asks for leave to proceed *in forma pauperis* and has supported his request with an affidavit of indigency. The factors for determining whether plaintiff qualifies for indigent status are:

- From plaintiff's annual gross income, the court subtracts $3700 for each dependent excluding the plaintiff.

- If the balance is less than $16,000, the plaintiff may proceed without any prepayment of fees and costs.

- If the balance is greater than $16,000 but less than $32,000, the plaintiff must prepay half the fees and costs.

- If the balance is greater than $32,000, the plaintiff must prepay all fees and costs.

- Substantial assets or debts require individual consideration.

Plaintiff estimates his monthly income to be approximately $100.00, which would make his annual income about $1,200. Plaintiff does not have any dependants. Because plaintiff's income is less than $16,000, he can proceed without any prepayment of fees or costs.

Accordingly, IT IS ORDERED that plaintiff's complaint is taken under advisement. As soon as the court's calendar permits, plaintiff's complaint will be screened pursuant to 28 U.S.C. § 1915 to determine whether the case must be dismissed either because the complaint is

frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief against a defendant who is immune from such relief. Plaintiff will be notified promptly when such a decision has been made. In the meantime, if plaintiff needs to communicate with the court about this case, he should be sure to write the case number shown above on his communication.

Entered this 30th day of December, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge